

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In re: Omar Hernández
Debtor

11-00302-ESL13
Chapter 13

MOTION FOR EXTENSION OF TIME IN WHICH TO FILE CHAPTER 13 PAYMENT PLAN

To the Honorable ENRIQUE S. LAMOUTTE, United States Bankruptcy Judge:

Comes now Debtor, Omar Hernández, through the undersigned counsel, and states as follows:

1. Movant is the debtor above named, who filed the instant voluntary petition on January 20th, 2011, under Chapter 13 of U.S. Code Title 11.
2. Movant engaged the undersigned counsel as early as November, 2010, to analyze his financial situation, render advice as to whether as to whether Debtor should seek the protection of this Court, and assist in the preparation and filing of all schedules, statements and papers with the Court.
3. Notwithstanding the fact that Debtor and the undersigned had engaged and commenced the above planning exercise in a timely fashion, it became essential for Debtor to file the instant bankruptcy petition swiftly on January 20th, 2011, due to creditor Oriental Leasing's

effort to reposes a motor vehicle which is indispensable to conduct Debtor's trade and, consequently, to derive his livelihood.

4. Had Debtor not immediately sought the protections afforded by the automatic stay to stave off creditor Oriental Leasing, repossession of the aforementioned instrument of work would have deprived movant of control of the property, caused a cessation of business, and resulted in great loss to all other creditors and persons in interest.
5. Debtor has been able to consult the undersigned to reflect, prepare and file all required schedules and statements in a timely fashion, except for the Chapter 13 Payment Plan, which is due tomorrow, February 4th, 2011.
6. Besides movant being actively engaged in his graphics printing business, he is diligently securing the books and records related to the still pending child support proceedings in State Court, which represent his largest creditor in terms of amount in arrears, as well as his largest monthly expenditure of cash. Some of the aforementioned books and records are not readily accessible or up to date by reason of the financial difficulties which brought about the filing of the instant bankruptcy petition, and it will take an estimated number of seven (7) additional days to place the books and records in such condition that the remaining schedule, namely the Chapter 13 Payment Plan, can be properly filled out.

WHEREFORE, movant prays for an extension of time up to and including seven (7) days, with a due date of February 10th, 2011, in which to file the appropriate Chapter 13 Payment Plan to accompany the instant bankruptcy petition.

In New York, New York, this 3rd day of February, 2011.

S/William Meléndez-Menéndez

William Meléndez-Menéndez

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 3rd, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties in interest.

In New York, New York, this 3rd day of February, 2011.

S/William Meléndez-Menéndez

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